

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
CHICAGO DIVISION**

**In re:**

**Candice P. Warren**

**Debtor.**

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**Case No.: 19-17024**

**Chapter 13**

**Judge Jacqueline P. Cox**

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**NOTICE OF MOTION**

**Notified via Electronic Filing**

Patrick S Layng  
Office of the U.S. Trustee, Region 11  
219 S Dearborn St, Room 873  
Chicago IL 60604

Tom Vaughn  
55 E. Monroe Street, Suite 3850  
Chicago, IL 60603

David M Siegel  
Attorney for Candice P. Warren  
David M. Siegel & Associates  
790 Chaddick Drive  
Wheeling, IL 60090  
davidsiegelbk@gmail.com

**Notified via US Postal Service**

Candice P. Warren  
10118 S. Oglesby Avenue  
Chicago, IL 60617

Please take notice that on January 27, 2020, at 9:00 a.m., or as soon thereafter as I may be heard, I shall appear before the Honorable Judge Jacqueline P. Cox, 219 South Dearborn, Courtroom 680, Chicago, IL, 60604 or before any other Bankruptcy Judge who may be presiding in his/her place and stead and shall then and there present the accompanying motion. At that time and place you may attend if you so choose.

**AFFIDAVIT OF SERVICE**

The undersigned, an attorney, hereby certifies that I have served a copy of this Notice along with the attached motion upon the parties listed above, by causing same to be mailed in a properly addressed envelope, postage prepaid, on 10th day of January, 2020, unless a copy was provided electronically by the Clerk of the Court.

Date January 10, 2020

/s/ Todd J. Ruchman  
Signature

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing Notice of Motion was served on the parties listed below via e-mail notification:

Office of U.S. Trustee, Party of Interest, (Registered address)@usdoj.gov

Tom Vaughn, 55 E. Monroe Street, Suite 3850, Chicago, IL 60603

David M Siegel, Attorney for Candice P. Warren, David M. Siegel & Associates, 790 Chaddick Drive, Wheeling, IL 60090, davidsiegelbk@gmail.com

The below listed parties were served via regular U.S. Mail, postage prepaid, on January 10, 2020:

Candice P. Warren, 10118 S. Oglesby Avenue, Chicago, IL 60617

/s/ Todd J. Ruchman

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: **Judge Jacqueline P. Cox**  
: **\*\*\*\*\***  
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**MOTION FOR RELIEF FROM THE AUTOMATIC STAY**

NOW COMES, JPMorgan Chase Bank, N.A., a secured creditor herein, by and through its attorneys, Manley Deas Kochalski LLC and hereby moves the Court, pursuant to 11 U.S.C. § 362(d) for an Order granting relief from the automatic stay from the estate the following property, a 2019 Mazda CX-5 bearing a Vehicle Identification Number ("VIN") of JM3KFACM9K0617922 and in support thereof respectfully states as follows:

1. Candice P. Warren (hereinafter "Debtor") filed a Voluntary Petition for Relief under Chapter 13 on June 14, 2019, (hereinafter the "Petition Date").
2. As of the Petition Date, the Movant is a secured creditor of the Debtor with respect to a certain indebtedness secured by a lien upon a 2019 Mazda CX-5 bearing a Vehicle Identification Number ("VIN") of JM3KFACM9K0617922 (the "Vehicle"). A copy of the Retail Installment Contract – Simple Finance Charge (With Arbitration Provision) (the "Contract") is attached as Exhibit A.
3. The Contract provided Movant a security interest in the Vehicle, which Movant properly perfected via notation on the Certificate of Title of a Vehicle, a copy of which is attached as Exhibit B.

4. As of December 20, 2019, the current total outstanding balance due to JPMorgan Chase Bank, N.A. from the Debtor for the Vehicle is \$29,090.05.

5. Movant believes the current value of the Vehicle to be \$22,325.00 based on the NADA report dated December 20, 2019, attached here as Exhibit C.

6. Movant is entitled to relief from the automatic stay under 11 U.S.C. 362(d) for the following reasons:

- a. Under the terms of Debtor's confirmed Chapter 13 Plan, Movant is to be paid directly from Debtor post petition payments due per the terms of the Contract.
- b. The Debtor is in default in performance of the terms of the confirmed Chapter 13 Plan and is in default from August 29, 2019 through November 29, 2019 in the amount of \$2,186.68, or approximately 4 payments, as of December 20, 2019.
- c. Debtor has no equity in the Vehicle and the Vehicle is not necessary for an effective reorganization.

7. Movant requests that Bankruptcy Rule 4001(a)(3) not apply to any Order granting this Motion.

WHEREFORE, the Creditor prays for the entry of the attached Order Granting Relief from the Automatic Stay pursuant to 11 U.S.C. 362(d) and for such other relief the Court deems just.

Respectfully submitted,

/s/ Todd J. Ruchman

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Todd J. Ruchman (6271827)  
Keith Levy (6279243)  
Sarah E. Barngrover (28840-64)  
Adam B. Hall (0088234)  
Edward H. Cahill (0088985)  
Umair M. Malik (6304888)  
Manley Deas Kochalski LLC  
P.O. Box 165028  
Columbus OH 43216-5028  
614-220-5611; Fax: 614-627-8181  
Attorneys for Creditor

The case attorney for this file is Todd J.  
Ruchman.  
Contact email is  
[tjruchman@manleydeas.com](mailto:tjruchman@manleydeas.com)

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing Motion for Relief from the Automatic Stay was served on the parties listed below via e-mail notification:

Office of U.S. Trustee, Party of Interest, (Registered address)@usdoj.gov

Tom Vaughn, 55 E. Monroe Street, Suite 3850, Chicago, IL 60603

David M Siegel, Attorney for Candice P. Warren, David M. Siegel & Associates, 790 Chaddick Drive, Wheeling, IL 60090, davidsiegelbk@gmail.com

The below listed parties were served via regular U.S. Mail, postage prepaid, on January 10, 2020:

Candice P. Warren, 10118 S. Oglesby Avenue, Chicago, IL 60617

/s/ Todd J. Ruchman

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